

REMARKS

Claims 1-25 are pending in this application.

The June 15, 2007 Office Action required election of one alleged Group of inventions and one alleged Species in order to obtain further examination. Office Action at 3. As alleged, the application contained two groups of inventions, as follows:

Group I, claims 1-15, drawn to a drink composition.

Group II, claims 16-25, drawn to a method for composing a drink composition.

Office Action at 2.

Applicant elects Group I, including claims 1-15 for examination.

The Office Action also stated:

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traverses (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

Office Action at 3. Claims 1-15 encompass the elected invention.

The Office Action also alleged that the application contained claims directed to more than one species, as follows:

A: specific additional ingredient selected from those claimed in claim in claims 6-8, 13 and 15.

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Office Action at 2. Applicant elects the species of green tea extract (as recited in claim 7) for examination.

The Office Action identified claims 1-5, 9 and 14 as generic claims over all of the alleged species. Under MPEP §809 these generic claims must be examined along with the elected invention.

Conclusion

If the Examiner believes that any matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

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Applicants respectfully submit that the present application, including claims 1-25, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

Pertti Lahteenmaki

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